

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

PLATINUM PARTNERS VALUE ARBITRAGE FUND L.P.
(IN OFFICIAL LIQUIDATION), et al.,

Chapter 15

Debtors in Foreign Proceedings.

Case No. 16-12925 (SCC)

PLATINUM PARTNERS VALUE ARBITRAGE FUND L.P.,

(Jointly Administered)

Plaintiff,

Adv. Pro. No. 18-01650

-vs-

**DEFENDANT'S NOTICE
OF MOTION FOR LEAVE
TO APPEAL**

MICHAEL M. GOLDBERG,

Defendant.


PLEASE TAKE NOTICE THAT, pursuant to 28 U.S.C. § 158(a)(2) and Bankruptcy Rule 8004, and upon the Modified Bench Decision and Order on Cross-Motions for Summary Judgment, entered on May 10, 2022 (the "Order") which granted summary judgment on the issue of liability to Plaintiff Platinum Partners Value Arbitrage Fund L.P. ("PPVA") in this adversary proceeding between Dr. Goldberg and PPVA in the United States Bankruptcy Court for the Southern District of New York, Hon. Shelly Chapman, J. (the "Bankruptcy Court"), and the Order of the Bankruptcy Court Denying Defendant's Motion for Reconsideration, dated July 11, 2025 (together, the "Orders"), and all prior pleadings submitted herein, and upon the accompanying Memorandum of Law and the reasons set forth therein,

Defendant Dr. Michael Goldberg, by and through the undersigned counsel, will move this Court on a date to be selected by the Court or such Honorable Judge as may be assigned to this proceeding, at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, for an Order vacating those Orders and the granting of Partial Summary Judgment on the issue of liability to Plaintiff Platinum Partners Value Arbitrage Fund L.P.; and for such other relief the Court deems proper.

PLEASE TAKE FURTHER NOTICE THAT, upon the Court selecting a return date for this Motion, the parties will submit a briefing schedule to be approved by the Court.

Dated: July 25, 2022

LAW OFFICE OF MARK R. KOOK

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